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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No
A-1712Total Pages in this Submission
49
 JC9185
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TO THE COMMISSIONER FOR PATENTS
 Box Patent Application
 Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

VITAMIN D ASSAY

and invented by:

Garrity et al.

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

[] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No.: _____

Enclosed are Application Elements:

Filing Fee

Specification having 41 page(s) and including the following:

- Title of the Invention
- Cross References to Related Applications (*if applicable*)
- Background of the Invention
- Brief Summary of the Invention
- Description of the Drawings
- Description of the Preferred Embodiment
- Claim(s) as Classified Below
- Abstract of the Disclosure

Sheets of Drawing(s) (37 CFR 113) [] Formal [] Informal

Oath or Declaration [] Executed Unexecuted

Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

Power of Attorney [] Executed Unexecuted

Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Computer Program in Microfiche (*Appendix*)

Accompanying Application Parts

Assignment Papers (cover sheets & documents(s))

The prior application is assigned of record to _____

Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

37 CFR 3.73(B) Statement (*when there is an assignee*)

English Translation Document (*if applicable*)

Information Disclosure Statement/PTO-1449 Copies of ___ IDS Cited Reference(s)
 Preliminary Amendment
 Acknowledgment postcard
 Application is entitled to Small Entity Status.
 Application Data Sheet
 Request of NON-PUBLICATION of Application
 Certificate of Mailing by Express Mail
 Certified Copy of Priority Document(s) (if foreign priority is claimed)

Fee Calculation and Transmittal

**The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.*

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	84	- 20 =	64	X \$ 18.00	\$ 1152.00
Independent Claims	7	- 3 =	4	X \$ 80.00	\$ 320.00
Multiple Dependent Claims	(check if applicable) <input type="checkbox"/>				\$ 0.00
				BASIC FEE	\$ 710.00
				SUBTOTAL	\$ 2182.00
(Application is entitled to small entity status under 37 CFR 1.9 and 1.27)	adjusted small entity status claim fees [rate + 2] SMALL ENTITY STATUS				
OTHER FEE (specify purpose)					
	TOTAL FILING FEE				
	\$ 2182.00				

A check in the amount of \$ ____ to cover the filing fee and the assignment recordation fee is enclosed.
 The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 13-5135 as described below.
 Charge the amount of \$ _____ as filing fee.
 Credit any overpayment.
 Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,


 Donald E. Stout
 Attorney for Applicants
 Registration Number: 34,493

January 16, 2001

Stout, Uxa, Buyan & Mullins, LLP
 4 Venture, Suite 300; Irvine, CA 92618
 phone (949) 450-1750; fax (949) 450-1764
 e-mail: dstout@patlawyers.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: /
Garrity et al. / BOX PATENT APPLICATION
/ /
Filed: Herewith / /
For: VITAMIN D ASSAY / /

EXPRESS MAIL MAILING LABEL NO. **EL639221260US**

Date of Deposit: **January 16, 2001**

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231:

1. Transmittal letter;
2. Specification/Claims 41 pages
(Specification 28 pages; Claims 84 / 13 pages);
3. Declaration for Patent Application - Unexecuted;
4. Request of NON-PUBLICATION of Application;
5. Application Data Sheet; and
6. Return Receipt postcard.

Each of the 6 above-identified documents are enclosed herewith.

Respectfully submitted,



Dawn E. Zuniga
Office of Donald E. Stout
Registration No. 34,493

Telephone 949/ 450-1750
Facsimile 949/ 450-1764

4 Venture, Suite 300
Irvine, CA 92618

Docket **A-1712**

The enclosed patent application of
Garrity et al.

is being filed in accordance with section 1.10 by Express Mail
and should be accorded a filing date of
January 16, 2001.

SEE THE EXPRESS MAILING CERTIFICATE
ATTACHED TO APPLICATION.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: /
Garrity et al. / BOX PATENT APPLICATION
/

Filed: Herewith /
/

For: Vitamin D Assay /

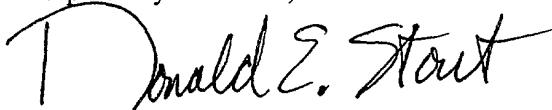
Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR NON-PUBLICATION OF APPLICATION
UNDER 37 C.F.R. § 213(a)

Dear Sir:

Applicants hereby request that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. § 122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.

Respectfully submitted,



Donald E. Stout
Registration No. 34,493
STOUT, UXA, BUYAN & MULLINS, LLP

January 16, 2001
4 Venture, Suite 300
Irvine, CA 92618